

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

**JOE W. BYRD,**

Plaintiff,

v.

**No. 4:24-cv-00299-P**

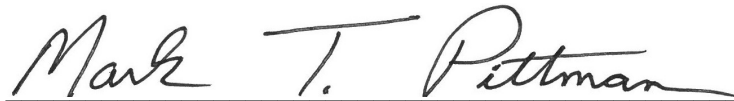
**MINTA DELYN SPURGIN, ET AL.,**

Defendants.

**ORDER**

The United States Magistrate Judge issued Findings, Conclusions, and Recommendations (“FCR”), recommending this case be *sua sponte* remanded to the 67th Judicial District Court, Tarrant County as removal was improper<sup>1</sup>. ECF No. 5. After reviewing the record and the FCR, the Court determines that removal was wholly improper here and **ADOPTS** the reasoning in the Magistrate Judge’s FCR and **REMANDS** this case to the 67th Judicial District Court, Tarrant County.

**SO ORDERED** on this **2nd day of April 2024**.

A handwritten signature in black ink that reads "Mark T. Pittman". The signature is written in a cursive, flowing style with a horizontal line underneath the name.

Mark T. Pittman  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> Mr. Byrd, the plaintiff, removed the case to federal court despite 28 U.S.C. § 1441(a) providing that an action may only “be removed by the defendant or the defendants.”